

Adopted	Rejected
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COMMITTEE REPORT

YES:	11
NO:	0

MR. SPEAKER:

Your Committee on Public Health, to which was referred Senate Bill 615, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:

- 1 Page 4, line 22, delete "long term care" and insert "**home and**
- 2 **community based**".
- 3 Page 4, line 27, delete "long term care" and insert "**home and**
- 4 **community based**".
- 5 Page 4, line 40, after "(1)" insert "**date and**".
- 6 Page 7, between lines 28 and 29, begin a new paragraph and insert:
- 7 "SECTION 9. [EFFECTIVE JULY 1, 2005] **(a) Before July 1,**
- 8 **2006, the office of Medicaid policy and planning shall adopt rules**
- 9 **under IC 4-22-2 that define the criteria and process used by the**
- 10 **office of Medicaid policy and planning to determine if a**
- 11 **developmentally disabled individual (as defined in IC 12-7-2-62)**
- 12 **qualifies for the level of care provided by an intermediate care**
- 13 **facility for the mentally retarded (ICF/MR). The rules must**
- 14 **provide that a developmentally disabled individual (as defined in**
- 15 **IC 12-7-2-62) qualifies for the level of care for an intermediate care**

1 facility for the mentally retarded (ICF/MR) if the individual's
2 disability results in substantial functional limitations in at least
3 three (3) of the following areas of major life activities:

- 4 (1) Self-care.
- 5 (2) Understanding and use of language.
- 6 (3) Learning.
- 7 (4) Mobility.
- 8 (5) Self-direction.
- 9 (6) Capacity for independent living.

10 (b) Before July 1, 2006, the office of Medicaid policy and
11 planning shall adopt rules under IC 4-22-2 that define the criteria
12 and process used by the office of Medicaid policy and planning to
13 determine the number of hours of care that a developmentally
14 disabled individual (as defined in IC 12-7-2-62) needs in a
15 supervised group living setting. The rules must provide that a
16 developmentally disabled individual (as defined in IC 12-7-2-62) in
17 the following types of supervised group living settings needs the
18 following hours of care per resident day:

- 19 (1) Intensive training, six (6) hours.
- 20 (2) Developmental training, eight (8) hours.
- 21 (3) Basic development, ten (10) hours.
- 22 (4) Medically fragile, twelve (12) hours.
- 23 (5) Child rearing, eight (8) hours.
- 24 (6) Child rearing with specialized programs, ten (10) hours.
- 25 (7) Small residence with behavior management for children,
26 twelve (12) hours.

27 (c) Before July 1, 2006, the office of Medicaid policy and
28 planning shall adopt rules under IC 4-22-2 to amend the
29 requirements under 405 IAC to require that the supported living
30 program and reimbursement system contain the following
31 components:

- 32 (1) Conduct of an independent assessment to determine the
33 level of resources necessary to meet the needs of a
34 developmentally disabled individual (as defined in
35 IC 12-7-2-62) in a healthy and safe environment.
- 36 (2) Determination of the level of resources that are needed by
37 a developmentally disabled individual (as defined in
38 IC 12-7-2-62) using a funding matrix that differentiates

1 **between needs and service requirements for developmentally**
 2 **disabled individuals:**

3 **(A) with family or other nonpaid supports; and**

4 **(B) without family or other nonpaid supports.**

5 **(3) Requirement that individual support teams assist**
 6 **developmentally disabled individuals (as defined in**
 7 **IC 12-7-2-62) in developing and implementing individualized**
 8 **plans after resources have been allocated.**

9 **(d) This SECTION expires July 1, 2007.**

10 SECTION 10. [EFFECTIVE JULY 1, 2005] **(a) Before July 1,**
 11 **2006, the division of disability, aging, and rehabilitative services**
 12 **shall adopt rules under IC 4-22-2 to amend 460 IAC 6 to provide**
 13 **that 460 IAC 6 does not apply to an agency that is accredited by**
 14 **one (1) of the following organizations:**

15 **(1) The Commission on Accreditation of Rehabilitation**
 16 **Facilities (CARF) or its successor.**

17 **(2) The Council on Quality and Leadership in Supports for**
 18 **People with Disabilities or its successor.**

19 **(3) The Joint Commission on Accreditation of Healthcare**
 20 **Organizations (JCAHO) or its successor.**

21 **(4) The National Commission on Quality Assurance or its**
 22 **successor.**

23 **(5) An independent national accreditation organization**
 24 **approved by the secretary.**

25 **(b) This SECTION expires July 1, 2007."**

26 Renumber all SECTIONS consecutively.

(Reference is to SB 615 as printed February 4, 2005.)

and when so amended that said bill do pass.

Representative Becker